

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 SOFIA 000085

SIPDIS

DEPT FOR EB/IPE JURBAN; SWILSON
DEPT PLEASE PASS USTR LERRION
DOC FOR SSAVICH

E.O. 12958: N/A

TAGS: [ECON](#) [ETRD](#) [KIPR](#) [ASEC](#) [BU](#)

SUBJECT: BULGARIAN GOVERNMENT FORMS NEW INTER-AGENCY IPR
COUNCIL

Ref.: 05 State 183379

1. SUMMARY: Responding to the EU accession demands as well as sustained Embassy pressure, the GOB has established an inter-agency intellectual property body -- the Council of Intellectual Property Protection (CIPP) -- with higher level participation than the previous body. The Council is chaired by the Minister of Culture, and includes 14 other representatives of enforcement agencies, including four deputy ministries. In their first meeting, Council members discussed implementation of several of the EU's recommendations and the formulation of an internal action plan - based on both the USG's broad-based plan (reftel) and the Embassy's detailed matrix (forwarded separately). CIPP's immediate priority is reduction of street sales of pirated discs in Sofia and other major cities by February 1, in time for the EU peer review scheduled for February 6-7.
END SUMMARY.

APPOINTMENT OF THE INTER-AGENCY IPR COUNCIL

2. The Council of Ministers established on January 12 the CIPP as an inter-agency consultative body headed by the Minister of Culture and tasked with improving government coordination in the protection and enforcement of intellectual property rights (IPR) in Bulgaria. Specific activities of the CIPP include:
--efficient implementation of intellectual property legislation;
--review and proposal of legislative amendments;
--cooperation with the IPR industry and non-government organizations and the implementation of IPR-related projects; and
--monitoring and analysis of IPR enforcement, including data collection from enforcement agencies about the results of inspections.

3. The Council, chaired by the Minister of Culture, but presided over by his Deputy, brings together 14 representatives from ministries and government agencies involved in IPR protection. CIPP's members include four Deputy Ministers (Culture, Justice, Economy and Energy, and Interior); representatives from the Customs Agency, National Revenue Agency, National Service for Combating Organized Crime, National Police Service, the Patent Office, Sofia City Court, Supreme Court of Cassation; and the chairpersons of the Electronic Media Council, the Competition Protection Commission and the Communication Regulatory Commission. Culture Minister Stefan Danailov plans to convene the CIPP at least once a month as required by the Council of Ministers' decision. Danailov and his staff have taken the lead on forming the council and volunteering to run it.

EU PEER REVIEW SHAPES COUNCIL'S AGENDA

4. CIPP's first meeting - a day after the government established it - was mainly organizational in nature. While the Council is currently working on approval of an internal action plan, the timetable and agenda have been primarily shaped by the EU's upcoming peer review scheduled for February 6-7, part of Bulgaria's EU accession process. The Council's Secretary-General, Georgi Damaynov, told us that its top priority is the elimination of street sales of pirate ODM in Sofia and other major cities by February 1. In addition, the Council has identified several other immediate goals, including the regulation of cable transmission and broadcasting by radio-TV operators under the Copyright and Related Rights Act; the elimination of illegal transfer of copyrighted content over the internet; formulation of a plan to restrict the illegal use of software for business and entertainment purposes; inspection of all ODM plants licensed under the new legislation; and implementation of IPR public awareness events. The council's next meeting is scheduled for February 2. In the meantime, Emboffs will meet with the Deputy Minister of Culture, Ina Kileva, on January 23.

INDUSTRY REACTION

6. IP industry representatives are cautiously optimistic

about CIPP's role in reforming the government's overall coordination of IPR efforts. They believe that the renewed interest in the IPR council has been brought on by the EU accession procedures, and is likely to lose steam once the EU makes its final decision on Bulgaria's accession. Part of CIPP's success will come from regular meetings and including industry representatives in the Council's activities, according to one local industry reps. Regrettably, the old IPR council held only a few meetings, and industry people were not allowed to attend its sessions. Svetozar Sokolov of the local BSA office, however, is pleased by the fact that CIPP is within the Ministry of Culture. The Minister, a popular actor, and his staff pay close attention to the IPR situation and to industry's input.

COMMENT

17. The GOB's formation of the CIPP sends a positive message about the new government's willingness to address IP piracy. Post has been working to develop political will within the Bulgarian government on IP protection, including raising the issue of the need for a better-coordinated high-level IPR council as part of the action plan. These efforts have benefited greatly from the EU accession process. Pressure from the EU monitoring review helped convince the Bulgarian government to create a high-level IPR council. The real test of the CIPP's effectiveness, however, will be its ability to become an operational body that forcefully takes on pirates and counterfeiters. End Comment.

LEVINE